

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

PAUL CROSS

PETITIONER

V.

CIVIL ACTION NO. 3:20-CV-747-DPJ-FKB

WARDEN WALTER VEREEN

RESPONDENT

ORDER

Petitioner Paul Cross, a federal inmate incarcerated at the Yazoo City Federal Correctional Complex, filed this 28 U.S.C. § 2241 petition asserting that the sentencing judge in Florida improperly enhanced his sentence under the Armed Career Criminal Act. On December 14, 2023, United States Magistrate Judge F. Keith Ball entered a Report and Recommendation [12] recommending that the Court dismiss Cross's petition as improperly brought pursuant to § 2241. Cross had fourteen days to object to the R&R, and he failed to do so. Fed. R. Civ. P. 72(b)(2); *see* R&R [12] at 3–4 (advising Cross of deadline).

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee notes to 1983 addition, *quoted in Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc), *superseded on other grounds by* 28 U.S.C. § 636(b)(1) *as noted in Alexander v. Verizon Wireless Servs., L.L.C.*, 875 F.3d 243, 248 (5th Cir. 2017). Finding no clear error, the Court accepts Judge Ball’s well-reasoned recommendation.

The Report and Recommendation [12] is adopted as the Court’s opinion. The petition is dismissed. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 8th day of January, 2024.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE